

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:22-cr-20237

v.

Honorable Thomas L. Ludington  
United States District Judge

CODY MILLER,

Defendant.

Honorable Patricia T. Morris  
United States Magistrate Judge

/

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING GUILTY  
PLEA, AND TAKING RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Cody Miller's consent. ECF No. 21. On August 29, 2022, Judge Morris issued an R&R recommending that this Court accept Defendant's guilty plea. ECF No. 26.

Although the R&R states that the parties may object to and seek review of the recommendations within 14 days of service, neither Plaintiff nor Defendant filed any objections. They have therefore waived their right to appeal Judge Morris's findings that Defendant was competent to enter a plea and did so knowingly, voluntarily, without coercion, and with a basis in fact. *See FED. R. CRIM. P. 11(b); Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Judge Morris's Report and Recommendation, ECF No. 26, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's guilty plea is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 24, is **TAKEN UNDER ADVISEMENT**.

Dated: September 13, 2022

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge